

**Notice of Allowability**

Application No.

10/603,031

Examiner

Jon A Szumny

Applicant(s)

WEYANDT, DAVID ALAN

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3632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to February 11, 2005.
2. ☒ The allowed claim(s) is/are 15-19.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

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This is the third office action for application number 10/603,031, Component Mounting Track, filed on June 24, 2003.

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Tom Hooker on March 1, 2005.

The following changes to the drawings have been approved by the examiner and agreed upon by applicant:

On page 3 of the drawings filed February 11, 2005, "FIG. 4" and "FIG. 5" will be relabeled --FIG. 5-- and --FIG. 6--, respectively.

In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

### *Allowable Subject Matter*

Claims 15-19 are allowed.

The following is an examiner's statement of reasons for allowance:

The admitted prior art taught a mounting track for supporting electrical components, the track comprising an elongate one-piece body of generally uniform transverse cross section, the track having a horizontal width and a vertical height, the track including: an elongate, flat

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foot having opposed parallel foot edges and a plurality of mounting apertures extending through the foot for attaching the track to a support surface, the mounting apertures spaced along the foot and located adjacent one foot edge; an elongate wall member joined to the flat foot and extending generally perpendicularly away from the flat foot adjacent said one foot edge, the wall member located between the foot edge and the mounting apertures; an elongate component mounting rail joined to the top of the wall member and overlying the foot, the rail comprising a generally flat base above the foot and two vertically offset mounting members each located above and to one side of the base, each mounting member having a member edge, the rail having a midpoint equidistant from each member edge.

However, the admitted prior art failed to specifically teach each mounting aperture to be in vertical alignment with the midpoint of the rail, the rail having a plurality of access apertures extending through the base, each access aperture overlying a mounting aperture in the foot and having an area larger than the area of the mounting aperture.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jon A Szumny whose telephone number is (703) 306-3403. The examiner can normally be reached on Monday-Friday 8-4.

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The fax phone number for the organization where this application and proceeding are assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is

(703) 308-1113.

A handwritten signature in black ink, appearing to read 'Jon Szumny', is written over a horizontal line.

Jon Szumny  
Patent Examiner  
Technology Center 3600  
Art Unit 3632  
March 1, 2005